

Remarks

The abstract of the disclosure was objected to because of the appearance of a second paragraph including "Fig. 1." Correction was required, and the Examiner will please note that a new abstract is being submitted herewith.

In numbered paragraph 3 of the Office Action mailed March 12, 2004, the Examiner objected to the specification due to the fact that specific claim numbers appear on pages 1, 4 and 5 and that the specification lacked appropriate section headings. Correction was required, and the Examiner will please note that the amendments to the specification set forth in the substitute specification address these specific objections.

The drawings were also objected to for the specific reasons set forth in numbered paragraphs 4, 5, 6 and 7 of the Office Action mailed March 12, 2004, and being filed herewith are redlined proposed corrections to the drawing figures to address each of the objections raised to the drawings. In that regard, the Examiner is also asked to please note that the specification has been amended to make corresponding reference numeral changes in the specification.

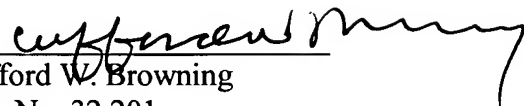
Turning to claim rejections, claims 16-18 were rejected under 35 U.S.C. §112, second paragraph, because claim 16 depended upon canceled claims 1-6. The Examiner will please note that the Applicants have amended claim 16 to depend from claims 10 to 15, rather than claims 1 to 6. Therefore, the 35 U.S.C. §112, second paragraph, grounds for rejecting claims 16-18 are now moot.

Claims 10-12 and 16-18 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 17, 25, 26, 28 and 31-33 of co-pending Application Serial No. 10/068,246 (the claims of the preliminary amendment of 2/5/02) in view of Cockings et al. For the reasons that
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follow, Applicants traverse this ground for rejecting claims 10-12 and 16-18. The present Application Serial No. 10/062,201 and the co-pending Application Serial No. 10/068,246, which the Examiner has cited as the basis for the rejection being discussed, have the same priority date of August 5, 1999, and the same International filing date of August 1, 2000, but the present application was filed in the United States Patent and Trademark Office on February 1, 2002, whereas the co-pending application was not filed until February 5, 2002. Considering these facts, the Applicants do not understand how co-pending Application Serial No. 10/068,246 could be applied against the present application Serial No. 10/062,201. Indeed, as the present application was filed in the United States Patent and Trademark Office before co-pending Application Serial No. 10/068,246, Applicants do not see how a terminal disclaimer in the present application stating that the term of any patent issuing on the present application will not extend beyond the term of any patent that issues on the cited co-pending application would make any sense. Logically, it would seem that a terminal disclaimer, if any is required, would have to be filed in co-pending Application Serial No. 10/068,246, having a filing date of February 5, 2002.

For all these foregoing reasons, Applicant respectfully requests entry of the foregoing amendments to the specification and the claims, reconsideration of the present application in light thereof, and allowance of all the pending claims, as amended, over all the prior art of record.

Respectfully submitted,

By 
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Enclosures

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